



Ninety-Ninth Legislature - First Session - 2005
Introducer's Statement of Intent
LB 678

Chairperson: Tom Baker
Committee: Transportation and Telecommunications
Date of Hearing: February 28, 2005

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 678 would allow for a person whose driver's license has been revoked under the DWI statutes to apply for an employment permit after a 30 day hard suspension on a 90 day revocation, after a 90 day hard suspension on a 1 year suspension and after a 1 year suspension on a 15 year license revocation. It requires a person whose license has been revoked and who is seeking an employment permit to have an ignition interlock device installed in each motor vehicle owned or operated by the person. The ignition interlock device shall not be issued until the expiration of at least the minimum period for the suspension of all driving privileges under federal law has elapsed. If the ignition interlock device is no longer functioning, the Class O license shall be suspended until the device is once again functioning and the reinstatement fee has been paid.

The bill states that any individual whose operator's license is revoked under the DWI statutes shall be eligible for an employment driving permit if they have a functioning ignition interlock device installed. Adds language to the existing requirements for an employment driving permit that allows a person to also drive to and from court-ordered programming as well as employment.

LB 678 changes the statutes relating to immobilization of a vehicle to state that the immobilization must be at least as long as the minimum suspension required by the federal government. As an alternative to the immobilization option, the court can order installation of a functioning ignition interlock device on each motor vehicle owned or operated by the person convicted. The bill requires that the installation of the ignition interlock device be for the maximum term of the operator's license revocation and that the "hard time" revocation be for at least the minimum period for the suspension of all driving privileges required by federal law.

The "hard time" revocation period for a 1st offense will be at least 30 days, for a 2nd offense at least 90 days, for a 3rd offense at least 6 months and for a 4th or subsequent offense at least 1 year.

If a person is granted an employment permit and is then convicted of tampering with or circumventing an ignition interlock device, their driver's license shall be revoked for at least one year and they shall not be eligible to get an ignition interlock device again for the remainder of the revocation period.

The bill sets out intent to set up an Ignition Interlock Assistance Fund to help those who cannot afford an ignition interlock device. It would be funded by a fee on the sales tax remitted to the state by each provider of ignition interlock devices.

Principal Introducer: _____
Senator Dwite Pedersen